

**Amendment to the Remarks:**

Please replace page 9, first paragraph, lines 1 through 14, with the following amended paragraph:

One skilled in the art would understand the kind of pesticide which would benefit from the addition of a buffer to reduce the pH of the pesticide. For example, pesticides having ester groups, carbamate groups, thiophosphate esters, and the like might be subject to hydrolysis under alkaline conditions. However, one skilled in the art looking at a formulation containing a fatty acid or its salt would find no reason to add an additional carboxylic acid to buffer the solution. Carboxylic acids and their salts are generally stable in the presence of a base under the conditions most pesticides are applied. In fact the common method for making a salt of a carboxylic acid is to add a basic hydroxide, carbonate, and the like to the carboxylic acid. Even if a formulation containing a fatty acid were unstable, Roberts suggests that no buffer is needed for compositions having a pH of 7 or below. Although the Office action states that one skilled in the art would add Robert's "carboxylic acid" to Sedum's "fatty acid formulation" to buffer the formulation, no reason has been provided as to why buffering is needed or why it might be desired. As a result, a prima facie case for obviousness based on Sedum in view of Roberts has not been established.

It is believed that with the above amendment the present application is in condition for allowance. In view of this reconsideration and allowance of this case is respectfully requested.

Respectfully submitted,

By 

Edward E. Sowers, Reg. No. 36015  
Woodard, Emhardt, Moriarty, McNett & Henry LLP  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456